

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

ATLAS DATA PRIVACY CORPORATION, *as assignee of individuals who are Covered Persons*,  
JANE DOE-1, *a law enforcement officer*, JANE  
DOE-2, *a law enforcement officer*, PATRICK  
COLLIGAN, and PETER ANDREYEV,

Plaintiffs,

v.

GREENFLIGHT VENTURE CORP., RICHARD  
ROES 1-10, *fictitious names of unknown*  
*individuals* and ABC COMPANIES 1-10, *fictitious*  
*names of unknown entities*,

Defendants.

**Case No.: 25-cv-1517-HB**

**CIVIL ACTION**

**NOTICE OF EXPEDITED MOTION BY  
DEFENDANT GREENFLIGHT VENTURE  
CORP. TO JOIN CONSOLIDATED MOTION  
TO DISMISS PURSUANT TO FEDERAL  
RULE OF CIVIL PROCEDURE 12(b)(6), AND  
SUPPLEMENT MOTION**

Motion Returnable: June 16, 2025

Oral Argument is Requested

**NOTICE OF EXPEDITED MOTION BY DEFENDANT GREENFLIGHT VENTURE CORP.  
TO JOIN CONSOLIDATED MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 12(b)(6) AND TO SUPPLEMENT MOTION**

**TO:** Clerk of the Court  
United States District Court, District of New Jersey  
Mitchell H. Cohen Building & U.S. Courthouse  
4th & Cooper Streets  
Camden, New Jersey 08101

**AND TO:** Counsel of Record (via ECF)

**PLEASE TAKE NOTICE** that on June 16, 2025, or as soon thereafter as counsel may be  
heard, Defendant Greenflight Venture Corp. ("Greenflight"), by and through undersigned counsel, will

respectfully move before the Honorable Harvey Bartle III, U.S.D.J., at the United States District Court for the District of New Jersey, Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, New Jersey 08101, for an Order dismissing Plaintiffs' Complaint for lack of personal jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(6).

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Civil Rule 7.1(d), this Notice is served to join the existing Consolidated Motion to Dismiss for Failure to State a Claim ("Consolidated Motion") previously filed by co-defendants on March 18, 2025, in the related action *Atlas Data Privacy Corp., et al. v. DM Group Inc, et al.*, Case No. 1:24-cv-4075-HB. Greenflight specifically seeks to join and fully incorporates by reference all arguments, authorities, and factual submissions made therein.

In further support of its joinder and the relief requested, Greenflight submits concurrently a Supplemental Memorandum of Law addressing jurisdictional facts specific to Greenflight and the Consolidated Motion. A Consolidated Reply has been docketed and is also incorporated.

Dated: June 11, 2025

Respectfully submitted,  
**Law Offices of Jared M. Wichnovitz, P.C.**  
Attorneys for Defendant, Greenflight Venture Corp.

/s/ Jared M. Wichnovitz

JARED M. WICHNOVITZ, ESQ.

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## **SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT’S MOTION TO DISMISS PURSUANT TO FRCP 12(b)(2)**

### **I. INTRODUCTION**

Defendant Greenflight Venture Corporation (“Greenflight”), by undersigned counsel, respectfully moves, on an expedited basis, for leave (i) to join in full the Consolidated Rule 12(b)(6) Motion to Dismiss filed on March 18, 2025 (annexed hereto as **Exhibits A&B respectively**) (the “Consolidated Motion”) and (ii) to adopt the Consolidated Reply filed by co-Defendants.

#### **I. Greenflight Is Situated Identically to the Moving Defendants**

The Complaint filed against Greenflight (ECF No. 1) is materially indistinguishable from the thirty-nine complaints that are the subject of the Consolidated Motion. All pleadings assert a single Daniel’s Law claim, track the same boilerplate paragraphs, attach the same screenshots of AtlasMail, and rely on the same Service Terms.

Each Rule 12(b)(6) argument briefed in the Consolidated Motion—failure to plead a valid “authorized person,” non-receipt of notices, absence of protected data, lack of damages, etc.—applies to Greenflight word-for-word. Greenflight therefore seeks to incorporate those arguments rather than burden the Court with duplicative briefing.

#### **II. Procedural Posture and Need for Expedition**

By Order of the Court, this case was stayed through June 7, 2025, while the Parties explore settlement. Should those discussions not culminate in an agreement, Greenflight faces the full panoply of claims addressed in the Consolidated Motion. Joining now avoids re-briefing from scratch.

The Court has already scheduled June 16, 2025, argument on a related Consolidated Motion under FRCP 12(b)(2). Greenflight's counsel will attend that hearing; this case has already been admitted and is part of the argument of the parallel consolidated jurisdiction motion set for the same date. Adding Greenflight imposes no schedule change, no additional briefing, and no prejudice to Plaintiffs.

### **III. Judicial Economy Supports Joinder**

Permissive joinder is well-established in this District as well as under the Court Rules, the Court may advance joinder or deposition timing to promote efficiency. Greenflight will be present on June 16 regardless (consolidated § 12(b)(6) hearing), so adding it to the supplemental consolidated motion today is fully consistent with judicial economy and the existing schedule.

Greenflight expressly adopts (i) the entire legal and factual grounding set forth in the Consolidated Motion, (ii) all exhibits cited therein, and (iii) the Consolidated Reply without alteration. No further memorandum is necessary.

### **IV. Request**

For the foregoing reasons, Greenflight respectfully requests that the Court:

- (a) grant this motion;
- (b) deem Greenflight a "Joining Defendant" on the Consolidated Motion and Consolidated Reply; and
- (c) permit Greenflight's counsel to participate if needed in the oral argument on June 16, 2025 without additional briefing.

A proposed form of Order is submitted concurrently.

**Dated:** June 11, 2025

Respectfully submitted,  
**Law Offices of Jared M. Wichnovitz, P.C.**  
Attorneys for Defendant, Greenflight Venture Corp.

/s/ *Jared M. Wichnovitz*

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 11, 2025, a true and correct copy of the foregoing Motion to Dismiss with all exhibits was served via ECF Filing upon:

**Counsel for Plaintiffs:**

Rajiv D. Parikh, Esq.

Kathleen Barnett Einhorn, Esq.

Dated: June 11, 2025

**Law Offices of Jared M. Wichnovitz, P.C.**  
Attorneys for Defendant, Greenflight Venture Corp.

/s/ Jared M. Wichnovitz  
JARED M. WICHNOVITZ, ESQ.